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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/788,613 01/24/97 PAYNE

J 6328-117

LM02/0728
FULBRIGHT AND JAWORSKI LLP
PATENT AND DOCKETING
29TH FLOOR
865 SOUTH FIGUERO STREET
LOS ANGELES CA 90017-2576

EXAMINER

CALDWELL, A

ART UNIT

PAPER NUMBER

2758

DATE MAILED:

07/28/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/788,613

Applicant(s)
Payne et al.

Examiner
Andrew Caldwell

Group Art Unit
2758



☒ Responsive to communication(s) filed on Jul 9, 1999

☐ This action is **FINAL**.

☒ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire two month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 51-55 and 84-155 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 51-55 and 84-155 is/are allowed.

☐ Claim(s) _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☒ The drawing(s) filed on Apr 28, 1997 is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 17

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Part III DETAILED ACTION

Remarks

1. Claims 51-55 and 84-155 are presented for examination. Claims 1-50, 56-83, and 156-177 are cancelled.
2. The after final amendment filed on July 9, 1999 has been entered. The finality of the last Office action has been withdrawn to allow the Applicants the opportunity to comply with the formal requirements discussed in the remainder of this Office action.

Information Disclosure Statement

3. The IDS filed on July 9, 1999 has been considered. However, it should be noted that the copy of the Motorola reference published on June 21, 1995 is not completely legible. To the extent that the information disclosed in this reference is the same as the information in the Motorola reference published on June 24, 1995, the earlier reference has been considered.

Abstract

4. The abstract of the disclosure is objected to under 37 C.F.R. 1.72(b) because it does not cover the character of the subject matter covered by the technical disclosure. Correction is required. See MPEP § 608.01(b).

Drawings

5. Figure 17 is objected to under 37 C.F.R. 1.84(u)(1) for failing to include separate labels for the partial views presented on the two sheets of Figure 17. The first sheet should be labelled "Fig. 17A", and the second should be labelled "Fig. 17B". The brief description and the drawings and the detailed description must be amended to refer to these partial views.

Specification

6. The specification is objected to under 37 C.F.R. 1.74 for failing to provide a description of Figures 11, 12, and 15 in the detailed description of the invention. The following information may be helpful to the Applicants in responding to this requirement. On page 53 at line 27, the cited figure does not match its description in the text. This appears to be a description of Figure 11. On page 58 at line 27, the cited figure does not match its description in the text. This appears to be a description of Figure 12.

Conclusion

7. This application is in condition for allowance except for the following formal matters: See the objections to the specification and figures discussed above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

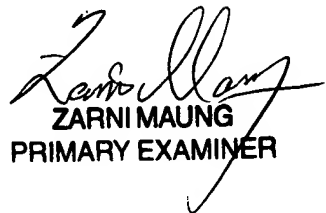
A shortened statutory period for reply to this action is set to expire TWO MONTHS from the mailing date of this letter.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Caldwell, whose telephone number is (703) 306-3036. The examiner can normally be reached on M-F from 8:30 a.m. to 5:00 p.m. EST.

If attempts to reach the examiner by phone fail, the examiner's supervisor, Ahmad Matar, can be reached at (703) 305-4731. Additionally, the fax phone for Art Unit 2758 is (703) 308-5357.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at (703) 305-9600.

Andrew Caldwell
July 27, 1999


ZARNI MAUNG
PRIMARY EXAMINER